

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RAY M. FERNANDEZ,

Petitioner,

V.

STATE OF WASHINGTON,

Respondent.

CASE NO. 3:19-cv-06029-RJB-JRC

ORDER

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation (Dkt. 4).
 - (2) Petitioner's federal habeas Petition is dismissed without prejudice.
 - (3) A certificate of appealability is denied in this case.
 - (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and to the Hon. J. Richard Creatura.

DATED this 24th day of February, 2020.

Robert Bryan

ROBERT J. BRYAN
United States District Judge